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Executive Registry

77-489

16 February 1977

25X1
MEMORANDUM FOR:

[redacted]
Executive Assistant to the
DCI-Designate, ADM Stansfield Turner

SUBJECT : Briefing Materials for Admiral Turner

The following items, responsive either directly or indirectly to requests from Admiral Turner, are forwarded herewith:

- 25X1
1. Message from AMEMBASSY NEW DELHI to CIA FOR TURNER dated 15 Feb 77; Subject: Senator Percy's Meeting with [redacted]
 2. Memorandum from Associate General Counsel dated 15 Feb 77; Subject: Military Officer as Director of Central Intelligence. [redacted] 25X1
 3. Reproduction of pp. 12-14 of eight questions by Senator Thurmond and answers by Mr. Bush at his hearing. [redacted] 25X1
 4. Two lists of members of the Defense Subcommittee of the House Appropriations Committee; Intelligence and Military Application of Nuclear Energy Subcommittee of the House Armed Services Committee; and accompanying note from Associate Legislative Counsel dated 15 Feb 77. [redacted] 25X1
 5. Sealed envelope from Associate DDA to [redacted] 25X1
[redacted] 25X1

REGISTRY FILE

Succession/DCI/
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6. Sealed envelope from DDA to Admiral Turner.

7. Envelope from OLC to Admiral Turner containing a copy of 11 February 1977 Congressional Record.

8. Additional clippings and articles on the nomination. Note: See item 5 of 14 Feb 77 letter of transmittal.

Special Assistant
to DDCI

Attachments

Distribution:

Orig - Adse

- 1 - [redacted] w/covering memos to atts.
- 1 - [redacted]
- 1 - [redacted]
- 1 - ES w/covering memos to atts.
- ① - ER w/covering memos to atts.

ES, [redacted] cs (16 Feb 77)

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<div style="display: flex; justify-content: space-between;"> <div style="width: 20%;"> Remarks: <div style="border: 1px solid black; width: 100px; height: 20px; margin-top: 5px;"></div> </div> <div style="width: 80%;"> <p style="text-align: center; margin-top: 20px;">Attached is the paper I mentioned to you that we had prepared, although it had not been requested; namely, a memo on the law concerning the matter of a military officer as Director of Central Intelligence.</p> </div> </div>			
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FORM NO. 237
1-67

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OGC 77-0988

15 February 1977

MEMORANDUM

SUBJECT : Military Officer as Director of Central Intelligence

1. Policy issues of course are raised by the question of whether a military officer should be the Director of Central Intelligence. The matter is the subject of statute also.

2. The National Security Act of 1947, which established the position of Director of Central Intelligence, as well as the National Security Council and the Central Intelligence Agency, authorizes the position of DCI to be held by a commissioned officer "whether in an active or retired status." The statute regulates in this area in several specific ways.

(a) The positions of Director and Deputy Director (a position also established by an amendment to the National Security Act and now held by Mr. Knoche) may not "be occupied simultaneously by commissioned officers of the armed services, whether in an active or retired status." There is no corresponding restriction with respect to the position of Deputy to the Director of Central Intelligence (the position now held by Admiral Murphy), which was established by Executive Order 11905 in February 1976. Legislation to establish this position by statute and to provide that the incumbent be appointed by the President and confirmed by the Senate, as is now required with respect to the positions of Director and Deputy Director, was introduced last year at the Director's request and similar legislation is under consideration within the Agency at this time.

(b) In the performance of his duties as Director or Deputy Director, a military officer "shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof."

(c) Similarly a military officer serving as Director or Deputy Director shall possess or exercise no "supervision, control, power or functions," other than as Director or Deputy Director, with respect to the armed services or any component or personnel thereof.

(d) Service as Director or Deputy Director by a commissioned officer "shall in no way affect the status, office, rank, or grade he may occupy or hold in the armed services" or any perquisites, privileges or benefits incident to such rank or status. A commissioned officer serving as Director or Deputy Director continues to receive his authorized military pay and allowances from his department, reimbursed to that department by CIA. In addition, he is to receive from CIA "compensation at a rate equal to the amount by which the compensation established by such position exceeds the amount of his annual military pay and allowances."

(f) The rank or grade of such commissioned officer shall be in addition to the numbers and percentages authorized for the armed services of which he is a member.



Associate General Counsel

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STAT MEMORANDUM FOR:

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In the attached hearing at page 12
are the eight questions by Senator Thurmond
and answers by Mr. Bush which might be of
interest to Admiral Turner.

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Date 15 Feb 1977

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That is a very general answer, sir.

The CHAIRMAN. It has been my observation in the case of other nominees who undertook this job that, as a minimum, it takes 12 months of intensive application to get on top of the job, so to speak, to get the feel of it, the many angles and ramifications. These are world-wide as you know, and certainly domestic, too.

Are you willing to put whatever intensive application is necessary into that, in order to get on top of it? Have you thought that out?

Mr. BUSH. I have thought it out. I am committed to it. I hope that my record reveals I am not opposed to hard work. Indeed I have done it since I can remember and I certainly will make that commitment—I have no other plans. My plan is to get in there. There is an awful lot of learning to be done. I have been back here a week and have not had access to much of the classified information even now, and probably that is better until the Senate disposes of this matter one way or another, but I promise you, sir, that I will set an example out there in terms of hours, in terms of hard work, that I think this committee will be proud of. I have done it before and I am prepared to do it again.

The CHAIRMAN. I ask every nominee this question; in simple terms now, boiled down, why do you agree for your name to be submitted and to undertake this job?

Mr. BUSH. I have a—I hope you understand this one. I have a sense of obligation to this country. I am one who is old fashioned in the sense that I think duty and obligation to serve still should be inculcated into every son and every daughter of every father, and I feel strongly about it. My foreign affairs experience has taught me the absolute essentiality of this work and it is for—this reason that I undertake this job—it is no more complicated than that. I did not seek this job. I was riding my bicycle in Peking, coming home from church. A messenger came up and said: "Say, there is news for you back at the office." I went back there, held up this telegram, and it was out of a cold clear blue China sky that this thing descended on me. And I thought about it, not long, thought about it and decided as I think maybe your opening comments confirmed, there is nothing in this politically for me. It is my obligation to my country and I just hope I can convince those who cannot accept that because maybe they do not know that to me that is what motivated me. I think my reply to the President of the United States when I sent it back reflected that.

The CHAIRMAN. You did not volunteer. They volunteered you.

Mr. BUSH. Yes, sir.

The CHAIRMAN. All right.

Senator Thurmond?

Senator THURMOND. Mr. Chairman, I have a few questions that can be answered for the record in order to save time. I am very pleased with the statement Mr. Bush has made here and I suggest that he answer these questions for the record.

Mr. BUSH. Thank you, sir.

RESPONSES BY GEORGE BUSH TO WRITTEN QUESTIONS OF SENATOR STROM THURMOND

Question. Mr. Ambassador, what is your concept of your job as Director of Central Intelligence?

Answer. To provide intelligence to the President and the NSC and to coordinate intelligence from the entire intelligence community in addition to providing overall management of the intelligence community.

Question. In providing the national intelligence estimate to the President, do you feel strong differences of opinion should be noted in the final product?

Answer. Yes.

Question. How would you define the charter of the Central Intelligence Agency?

Answer. The CIA was chartered for the purpose of coordinating intelligence activities of several departments and agencies in the interest of national security. Its major responsibilities include correlation, evaluation and dissemination of intelligence relating to the national security to the President, the National Security Council and other government departments and agencies as appropriate. To fulfill these responsibilities the CIA must administer an active program of collection and the DCI must participate in the overall coordination of Intelligence Community collection. It is clearly understood that CIA will have no police, subpoena, law-enforcement powers or internal security functions.

Question. What is your opinion of the role of the National Security Council Intelligence Committee?

Answer. The National Security Council Intelligence Committee should serve as the major communication link between the primary consumers and the producers of intelligence. The NSCIC should provide guidance to the Intelligence Community on consumers' priority needs. In addition, I believe that the NSCIC can perform a valuable function by evaluating the intelligence product. It is this kind of cycle—consumer guidance, consumer feedback—that will lead to a better and more useful intelligence product.

Question. How do you envision your interface with the Secretary of Defense?

Answer. Inasmuch as the Secretary of Defense has overall responsibility for DIA and NSA, as well as the intelligence functions of the various Services, there must be a close relationship. Prime interaction will come through meetings at the NSC. I view the Secretary of Defense both as the manager of significant intelligence resources and as a major consumer in his NSC policy making role; I view the DCI as one who presents objective intelligence to the NSC and to the President.

Question. Can you conceive of any requirement for the CIA to engage in any domestic surveillance?

Answer. No. I believe that any such activity required should be conducted by the Federal Bureau of Investigation or other appropriate law enforcement bodies.

Question. Mr. Ambassador, as one who would report directly to the President, would you be inclined to accept instructions from some agent of the President, such as his staff director or possibly a Secretary of State?

Answer. As DCI, I am responsible to the President and will take his instructions in whatever manner he finds appropriate to communicate them to me. Certainly, on most routine, day-to-day matters, instructions will come through an agent of the President. However, the President has promised me direct access. I will not abuse this access, but I certainly will use it if ever have questions about the propriety of any instruction and to see that the views of the intelligence community are properly presented to the President himself.

Question. What do you envision as the chief problems of your position in view of the recent wide exposure of the CIA's responsibilities and activities?

Answer. While the current Congressional hearings have been a necessary and helpful evaluation in improving the management and oversight of the intelligence community, they have inevitably raised questions abroad about the integrity and reliability of the United States and, in addition, there are morale problems within the intelligence community. I think it is imperative that the country itself backs

the legitimate activities of the CIA. Management and control of the Agency itself could present major problems at the outset. I will take seriously the Director's responsibility "for protecting intelligence sources and methods from unauthorized disclosure" and likewise working out a proper relationship with Congress is important. All of the problems are important—none appear to be insoluble.

The CHAIRMAN. Senator Symington?

Senator SYMINGTON. Thank you, Mr. Chairman.

Mr. Ambassador. It is an impressive statement you have made. Based on the remarks made already, it would appear as if you were already confirmed. But I would ask a couple of questions, and make a few comments.

First, I believe a strong economy and a sound dollar is just as important to true national security as anything else. Without an economy that is viable, this country could not preserve its system. You would agree, would you not?

Mr. BUSH. Yes, sir.

Senator SYMINGTON. I thought so, based on your record and your extensive experience. I do not know of any man your age who has had more. Now, much of the criticism of the CIA, it is clear to me, is the fault of Congress, not just the CIA. This committee's Subcommittee on Central Intelligence has never really looked into the CIA, which it should, if it wants to assume the obligation.

As perhaps the greatest industrialist I knew once said: "If a man thinks he is being watched, it is about as good as watching him." The Central Intelligence Agency has known for many years that, in effect, it was not really being watched.

I hope you will do in this job what was done by law with respect to the Atomic Energy Act. It was difficult to get any real interest in this committee for a long time, in the development of nuclear weapons, and difficult in the Foreign Relations Committee to get any real knowledge of the great and growing impact of nuclear weapons. It was like trying to pull teeth.

So I went on the Joint Atomic Energy Committee because under the law it is the obligation of the Atomic Energy Committee to keep the congressional committee fully informed of all developments. There I found out more about atomic weapons in a few weeks than in the previous 20 years, even though I served more than 20 years on this committee. The Backfire bomber and even more the Cruise missile are probably the two most important new items under discussion from the standpoint of the future of your children and my grandchildren; and an independent civilian analysis of these from the CIA could not be more important.

I would hope you would agree that even if not questioned, that you would come before this committee and volunteer anything that you thought was wrong in the way of foreign situations or developments, your own thinking about what would be best for the country. Would you do that?

Mr. BUSH. Senator Symington, I hope that I—I know that my experience in Congress has taught me great respect for it, and I am confident that I could cooperate fully with the proper oversight committees in that regard. And I would.

Senator SYMINGTON. That is not a direct answer, but I would hope—

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MEMORANDUM FOR:

We have just picked up from Rep. Jack Edwards, Ranking Member of our Appropriations Subcommittee in the House, that he thinks that it would be a good idea for Admiral Turner to pay courtesy calls to the House intelligence subcommittees. Apparently Mr. Sorensen paid such a courtesy call and very much impressed Edwards.

You may wish to suggest such a course of action to Admiral Turner if he has not done so already. The membership is attached. He might not have a chance to visit all the members but the Chairmen and Ranking Minority members would be helpful. Sam Stratton, a Navy Reserve Captain, who Admiral Turner may already know, would also be a good contact point.

Date

15 Feb 1977

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of the
House Appropriations Committee

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Joseph P. Addabbo (D., N.Y.)
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John J. Flynt (D., Ga.)
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Bill D. Burlison (D., Mo.)

* Jack Edwards (R., Ala.)
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Elford Cederberg (R., Mich.)
(ex-officio member)

* Ranking Minority Member -

Intelligence and Military
Application of Nuclear Energy Subcommittee
of the
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Charles Wilson (D., Texas)
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